

**VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE**

Wednesday, July 22, 2009
Commonwealth Conference Center
Second Floor
Board Room 3

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Richmond, Virginia 23233

CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: David C. Kozera, Committee Chairman

MEMBERS PRESENT: Brandon K. Yi

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist

RONALD M. DOUGLAS Ronald M. Douglas appeared to discuss his petition for
License Number 0202-009714 reinstatement of his pharmacist license as stated in the
June 9, 2009, Notice.

Closed Meeting: Upon a motion by Mr. Yi and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A.(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Ronald M. Douglas. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting.

Decision: Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to approve Mr. Douglas' application to reinstate his pharmacist license with terms and conditions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Douglas, unless a written request is made to the Board

requesting a formal hearing on the allegations made against him is received from Mr. Douglas within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

RONALD M. DOUGLAS, M.D.
Applicant for a License to Sell
Controlled Substances by a
Practitioner of the Healing Arts

Ronald M. Douglas, M.D., appeared to discuss his application for licensure to sell controlled substances by a practitioner of the healing arts and allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the June 9, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code, for the purpose of deliberation to reach a decision in the matter of Ronald M. Douglas. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to approve Dr. Douglas' application for licensure to sell controlled substances by a practitioner of the healing arts.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Dr. Douglas, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Dr. Douglas within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

JAMES Q. UNDERWOOD, III
License Number 0202-006303

James Q. Underwood, III, appeared to discuss his petition for reinstatement of his pharmacist license as stated in the May 4, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code, for the purpose of deliberation to reach a decision in the matter of James Q. Underwood, III. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to deny Mr. Underwood's petition for reinstatement of his pharmacist license.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Underwood, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Underwood within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

GINO J. BORTOLUZZI
License Number 0202007760

Gino J. Bortoluzzi appeared with Ken Simpson, the pharmacy technician at his store, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the June 30, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code, for the purpose of deliberation to reach a decision in the

matter of Gino J. Bortoluzzi. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Mr. Bortoluzzi, assess a \$50,000 monetary penalty and stay a portion of that penalty upon Mr. Bortoluzzi passing the Virginia Drug Law Examination, as well as his having to obtain additional continuing pharmacy education hours.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Bortoluzzi, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Bortoluzzi within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

RALPH U. MADU
License Number 0202013071

Ralph U. Madu appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the June 30, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code, for the purpose of deliberation to reach a decision in the matter of Ralph U. Madu. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the

preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Mr. Madu and have him obtain additional continuing pharmacy education hours.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Madu, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Madu within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

With all business concluded, the meeting adjourned at 5:45 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

David C. Kozera, Chairman

Date